

# HISTORIC PRESERVATION COMMISSION

## Minutes

June 11, 2009

The Historic Preservation Commission for the City of Salisbury met in regular session on Thursday, June 11<sup>th</sup> in the Council Chambers at the City Hall, 217 S. Main Street.

The meeting was called to order by the Chairperson, Anne Lyles. She read the purpose and procedure for the meeting.

In addition to Anne Lyles, the following members were present and introduced: Jack Errante, Deborah Johnson, Emily Perry, Andrew Pitner, Kathy Walters, and Anne Waters

Absent: Susan Hurt, Judy Kandl

### **Requests for Certificates of Appropriateness**

**H-24-09 323 N. Main St.** – Rowan Investment Co., Inc., owner  
Gray Stout, AIA, applicant / agent

**Request:** Exterior improvements; see attachments

Gray Stout and John Ketner were sworn in to give testimony for the request.

Janet Gapen, staff liaison, was also sworn in.

Staff presented slides as the testimony began.

Gray Stout informed the Commission that a new tenant would be moving into the building so all the proposed changes are a part of a tenant up-fit; in addition to being a great improvement for the appearance of the building.

The building, he said, is non-contributing to the district and is set back approximately 8-10 ft. from the property line. He testified that they would like to remove the 1963 awning from the building, along with the steel structure extending out over the sidewalk for support, and replace with a new canvas awning on a light-weight metal frame similar to others on Main St. He said once the demolition is completed the structure of steel would be cut off at the brick and patched with brick of the same color or covered with a steel plate.

Mr. Stout stated that in an effort to give the tenant more natural light the opening toward the front door would be expanded and three more windows added.

From the slides Mr. Stout pointed out an existing single window on the front elevation that would be expanded with an addition of 3 longer windows creating a series of windows.

On the side elevation, he stated that 3 existing double-hung windows would be made larger in height but not wider, using the same aluminum storefront as on the front elevation. The windows will not be operable.

The proposed color for the awning is navy; however, Mr. Stout said that could possibly change. He was informed by Janet Gapen that should the choice of color change the new color could be approved as a minor work.

He testified that a 6 ft. high black metal fence would be installed, and a patio type area would be created behind the building. A section of an existing low brick wall that goes back toward the rear exit will be removed and a step added to make an entrance into the patio area; some existing asphalt along the fence will be removed. The area will be landscaped to create a softer appearance.

Mr. Errante, noticing the color difference in the brick at the rear of the building, asked if that there had been an addition to the building. Mr. Stout stated that there had been an addition in the 80's.

In response to a question from Anne Lyles, Mr. Stout testified that that the existing parapet, guttering and downspouts would remain.

Mr. Stout further testified that the existing rear metal door, awning, and window would remain as is. The existing metal door in the front elevation will be glass as the new glass storefront.

Mr. Errante asked if the wood window in the rear of the building would be the only wood window left in the building since the windows on the front and side would be changed to aluminum windows. Mr. Stout responded, "Yes."

#### Public Hearing

There was no one present to speak in support or opposition to the request.

#### Deliberation

Jack Errante agreed with the applicant that changes would greatly improve the appearance of the storefront. In response to his question concerning parking, Mr. Wagoner testified that the existing parking would be sufficient for the one tenant.

## Motion

Kathy Walters made the motion as follows – “I move that the Commission find the following facts concerning Application #H-24-09 – that Gray Stout and John Ketner, applicants for Rowan Investment Company, owner of 323 N. Main Street, appeared before the Commission and sought a Certificate of Appropriateness to make exterior improvements as detailed in the attachments; that no one appeared before the Commission to support or oppose this request, this request should be granted based on The Secretary of Interior Standards for Rehabilitation and Chapter 2 – Changes to Buildings – Storefronts, pages 20-22, guidelines 1-7; Chapter 2 – Changes to Buildings – Side & Rear Facades, pages 26-28, guidelines 1-9; Chapter 2 – Changes to Buildings – Windows & Doors, pages 30-31, guidelines 1-10; Chapter 4 – Site Features & District Setting – Signage & Awnings, pages 54-56, guidelines 10-12; Chapter 4 – Site Features & District Setting – Landscaping & Streetscape, pages 59-60, guideline 11 of the Non-Residential Historic District Design Guidelines; therefore, I further move that a Certificate of Appropriateness for Application #H-24-09 be granted to Rowan Investment Company, owner of 323 N. Main St. to make the changes detailed in the application.”

Jack Errante seconded the motion; all members present voted AYE.

**H-27-09    217 S. Church St. –** First United Methodist Church, owner  
Barbara Senter and Walter Maxwell, applicant / agents

**Request:** Installation of 8 security cameras on the complex

Barbara Senter and Walter Maxwell, Trustees, were sworn to give testimony for the request.

Barbara Senter read a statement on behalf of the church requesting the installation of 8 security cameras. She named several instances which have led them to a decision that is regretted for a church – the need for security cameras. However, because of the need for the safety of those who have to enter and exit the church for various meetings after dark, it had become necessary.

Walter Maxwell gave testimony in reference to the locations for the cameras. He gave the descriptions of each camera and from the slides showed the exact location for each.

In response to Kathy Walters who asked if the all the wiring would be interior and concealed, Mr. Maxwell said “Yes,” everything would be concealed and done nicely and neat.

In response to Andrew Pitner who asked if any consideration had been given to mounting the cameras on the existing light posts on the property, Mr. Maxwell said he had checked out that possibility but determined that the cameras would not be able to pick up the views needed from the post locations.

Andrew Pitner also asked if consideration had been given to the placement of cameras for the proposed new church addition on the sanctuary side. Mr. Maxwell responded by saying that at this time that was not a consideration.

### Public Hearing

There was no one present to speak in support or opposition to the request.

### Deliberation

Anne Waters stated that she found it curious that the guidelines for the cameras fell under signage.

There being no questions or concerns, Jack Errante made the motion as follows:

“I move that the Commission find the following facts concerning Application #H-27-09 – that Barbara Senter and Walter Maxwell, applicants for First United Methodist Church, owner of 217 S. Church Street, appeared before the Commission and sought a Certificate of Appropriateness to install 8 security cameras on the complex; that no one appeared before the Commission to support or oppose this request, this request should be granted based on The Secretary of Interior Standards for Rehabilitation an Chapter 4 – Site Features and District Setting – Lighting, page 61, guideline 3 of the Non-Residential Historic District Design Guidelines; no mitigating factors; therefore, I further move that a Certificate of Appropriateness for Application #H-27-09 be granted to Barbara Senter and Walter Maxwell, applicants for First United Methodist Church, owner of 217 S. Church Street, to make the changes detailed in the application.”

Deborah Johnson seconded the motion; all members present voted NO.

### **H-28-09 217 S. Main St. – City of Salisbury, owner**

Lynn Raker, applicant / agent

**Request:** Installation of granite pedestal on sidewalk in front of City Hall to mount “Salisbury Sister Cities” History and Art Trail bronze marker.

Lynn Raker, agent, was sworn in to give testimony for the request.

Staff presented slides.

Lynn Raker testified that they would like to lift the bronze history marker located in the sidewalk at City Hall that commemorates the Salisbury Sister Cities from the sidewalk and relocate it to an area that would not be subject to wear and tear as it now receives from skateboarders and through other means. She said the new location was selected keeping in mind that over the next 5 years there would be some renovation of the streetscape in that block so the marker needed to be at a place where it could be easily moved if needed.

Ms. Raker testified that the proposal is for a raised planter made of granite that would be about 1½ feet larger than the plaque. The overall dimensions are 8’ x 6’10” x 12” high. The plaque will be located in the middle of the planter on a granite pedestal as the one at the Farmers Market and other locations. She said the face of the plaque would be slightly beveled and somewhat tilted – 8” on the short end and 12” on the taller end. She said some very simple plantings will be placed around it with the hope of keeping the skateboarders away from the plaque. The new location will also give some prominence to the plaque.

Ms. Raker informed the Commission that since city hall has been at its present location, they have always wanted to fly flags, as most city halls do; however, the façade of the building was not structurally designed to mount them. Flag poles now will be erected on either side of the proposed planter - the American flag on one side and the state and city flags on the other. She said the exact height of the poles was undecided but it would be 20-30 ft. tall.

In response to a question from Andrew Pitner, Ms. Raker said the flag pole would be aluminum.

She said, in response to a question from Jack Errante that the planter could be disassembled and moved without too much trouble if it needed to be taken down and moved somewhere else.

From the slides she showed where the marker is currently located and the exact location for the planter and flag post. Ms. Raker said a section of what forms the non-traditional curb would need to be left.

Andrew Pitner asked about the concrete at the location of the existing marker, and Ms. Raker said the concrete would have to be repaired once the marker is removed.

In response to a question from Deborah Johnson, Ms. Raker said the current planters could stay or they could be moved and repositioned with a forklift if it looked like there was too much in the area.

Jack Errante questioned whether or not the planter would be in the way of dignitaries and guests who might exit cars in front of City Hall to enter the front doors. Ms. Raker said there would be enough space to open a car door and the planter was not so big that it could not be walked around.

#### Public Hearing

There was no one present to speak in support of the request.

Clyde Overcash was sworn to speak in opposition.

Clyde Overcash began by stating that he would have to look at the planter every day of his life. He then acknowledged that he had received 2 notices of the meeting but neither had any description of the request. He stated that he had spoken with the city attorney who said that under the circumstances of having no description, the request should be vacated until the notice was sent out properly.

Janet Gapen suggested that the Commission continue with the public hearing and deliberation of the request and she would get a ruling from the city attorney; if he determines that there was a procedure error the notices would be sent out again for the July meeting.

Mr. Overcash continued by stating his reasons for objection which included the following:

- Too many projectiles already sticking out of the ground
- Location is the number 1 spot where people would go into City Hall
- Cheaper to place on the wall
- Plaque is inappropriate
- Plaque will not restore a historic atmosphere.

Lynn Raker came forward to clarify some of the statements made by Mr. Overcash. She informed the Commission that placement on the wall around the corner to which he spoke about would not be a good location because the plaque is too large to be mounted at eye level. Also, the location is under a window which would make placement too low. Ms. Raker further stated that the Public Arts Committee did not favor that location because it is on the alley side of the building and is not a prominent face on the building.

### Deliberation

Commission member Emily Perry asked for information regarding the meeting notifications to adjoining property owners. Janet Gapen stated that the notices were mailed on the Thursday preceding the meeting. She again stated that it would be left to the city attorney to determine if there should be a rehearing of the request because of a procedural error.

In response to Deborah Johnson who asked what the time frame of the project was, Ms. Raker stated that the city forces would be used for the project in order to reduce the cost, so the time would depend on their schedules and when they could do it, but there was a possibility that it could be relatively soon.

Janet Gapen informed the Commission in response to a question from Andrew Pitner that the flag pole could be approved with the information provided; that being a height in range of 20-30 ft.

Anne Waters inquired as to the amount of space between the City Hall front door and the planter; Ms. Raker said it was 10 ft. Janet Gapen further stated that there are zoning regulations which dictate the area that needs to be kept clear.

Anne Waters voiced her agreement with removing the marker from the sidewalk. She said in her opinion it would be more honorable on a pedestal.

Ms. Raker stated that the Public Arts Committee would like to bring all of the markers up from the sidewalk and place on a pedestal or on a wall. She said there are several markers already on pedestals so the proposed pedestal would not be setting precedence.

### Motion

Andrew Pitner made the following motion: "I move that the Commission find the following facts concerning Application #H- 28-09 - that Lynn Raker, applicant for the City of Salisbury, owner of 217 S. Main St., appeared before the Commission and sought a Certificate of Appropriateness to install a granite pedestal on the sidewalk in front of City Hall to mount

“Salisbury Sister Cities, History & Art Trail bronze marker, in addition to having a granite enclosed planter and 2 flag poles, approximately 20-30 ft. in height; that Clyde Overcash appeared before the Commission to oppose this request, that this request should be granted based on The Secretary of Interior Standards for Rehabilitation and Chapter 4 – Site Features and District Setting – Landscaping & Streetscape, pages 59-60, guidelines 1-12 of the Non-Residential Historic District Design Guidelines; mitigating factors: checking on the appropriateness of the announcement; therefore, I further move that a Certificate of Appropriateness for Application #H-28-09 be granted to Lynn Raker, applicant for the City of Salisbury, owner of 217 S. Main St. to make the changes detailed in the application.”

Jack Errante seconded the motion; all members present voted AYE.

**H-29-09 1215 N. Main St.** – Rowan-Salisbury School System, owner  
Danny R. Norman, Jr., applicant / agent; Butch Bivens, agent  
**Request:** Mobile units and setback encroachment

Danny Norman, Jr., Ramsay, Burgin, Smith; and Butch Bivens Salisbury Rowan School System, were sworn in to give testimony for the request.

Staff presented slides as Mr. Norman began his testimony, stating that the school system would like to place mobile units on the rear property of the Henderson Independent High School.

From the slides he pointed out the school’s existing property site and identified the adjoining properties. He showed the locations of previous mobile units, locations of existing mobile units, and an existing utility shed on the property.

In response to Jack Errante, he testified that the proposed units would be similar in shape, scale and window facades as the existing units.

He pointed out the proposed project locations and showed where each unit be located, explaining that it was their desire to keep the existing open playing field vacant where the students play.

Mr. Norman testified that the project consisting of 6 units is planned to be done in 3 phases as follows:

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| Phase I   | Placement of 2 units with handicap ramp, stairwell, and plantings; to happen right away. |
| Phase II  | Placement of 2 additional units; within 4-6 months, depending on funding.                |
| Phase III | Placement of the last 2 units; within 12 months.   |

Mr. Norman continued by showing the proposed elevations and landscaping for the units. He testified the shading trees and bushes would be new but all the screening would match the existing screening.

Mr. Norman stated that the units would not have plumbing installed. He explained that the facilities for the students are required to be within not more than a walking distance of 200 ft. which is being met through use of the existing units.

A slide was shown of what the unit would look like when viewed from Main St. He testified that 2 of the units would not be seen because they would be tucked in behind the existing building.

He showed the rear elevation and stated that each unit would have a landing platform for emergency egress. He also pointed out an existing chain link fence that goes all the way down the entire property but will stop at the beginning corner of the units, but enough fencing left to keep people from coming upon the property.

Mr. Norman informed the Commission that the units would be aluminum sided and underpinned. The color will be light tan. He said the sides next to the street and property owners would be screened as best as they could be. He testified that the 6 proposed units would be in uniformity with the 2 now existing on the property.

Kathy Walters asked if the units would be new. Mr. Norman said the 2 proposed for the 1<sup>st</sup> phase would not be new but the other 4 will be.

Mr. Bivens, in response to Jack Errante's question referencing the parking lot, stated that students would be able to walk up to the units from the existing parking lot. He said the existing walkway would be maintained. There is an existing grass planting strip between the street and sidewalk but trees would also be planted.

In response to a question from Kathy Walters, Mr. Bivens said if the funding remains in place there are to be some expanded programs at the school which call for the additional units.

In reference to the setback encroachment stated on the application, Janet Gapen informed the Commission that the Planning Board would consider that phase of the request so they would not have to weigh on that in their deliberation of the request.

#### Public Hearing

There was no one present to speak in support or opposition to the request.

#### Deliberation

Kathy Walters stated that although she has great hesitance in approving the units she understands the need for the units in order to expand the school's programs. The only thing she could say in favor of the request is that they used some sensitivity in the selection of the location for the units which will be only moderately visible from Main Street.

Anne Waters stated that at least they can be removed; otherwise, "they are just terrible."

Andrew Pitner commented that the units are removable, no historical elements would be destroyed, and the proposed screening is as good as it can be; however, there are material and scale problems.



Jack Errante noted that there would be a differentiation between the old and the new. Also, in response to his question as to the maximum number of students in each unit, Mr. Bivens said the maximum number is 22 which is a state standard. However, he, along with Kathy Walters stated that independent high schools usually have smaller classes than the average high school class would have.

In reference to Jack Errante's confirmation from Mr. Norman that one tree would be removed, Anne Lyles reminded the Commission that more trees would be planted to compensate for the one that would be removed.

#### Motion

Kathy Walters made the following motion: "I move that the Commission find the following facts concerning Application #H-29-08 – that Danny Norman, Jr., and Butch Bivens appeared before the Commission and sought a Certificate of Appropriateness to install mobile units on the property; that no one appeared before the Commission to support or oppose this request, this request should be granted based on The Secretary of Interior Standards for Rehabilitation and Chapter 4 – Site Features and District Setting – Landscaping & Streetscape, pages s59-60, guidelines 1,2,3,7 and 8 of the Non-Residential Historic District Design Guidelines; mitigating factor: units are sited so that they are screened from view of contributing structures in the N. Main St. district; and they are removable; therefore, I further move that a Certificate of Appropriateness for Application #H-29-09 be granted to Danny Norman, Jr., applicant for the Rowan-Salisbury School System, owner of 1215 N. Main St., to make the changes detailed in the application."

Commission members Errante, Johnson, Lyles, Perry, and Walters voted AYE; members Pitner and Waters voted NO.

**H-30-09 419-B S. Main St. – Lisa Wear Et Al, owner; Edgrick L. Holland, applicant / agent**  
**Request:** Exterior sign - **NOT PRESENT**

#### **Committee Reports**

Minor works There were no questions from Commission members concerning the May 2009 minor work approvals.

#### **Other Business**

##### Blackmer House Committee

Janet Gapen informed committee members that they would be contacted for a meeting soon.

#### Historic Conference, Pinehurst NC

Janet Gapen reported that she, along with Commission members Hurt, Johnson, Kandl, Lyles, Perry, are registered for the conference; with the possibility of another member registering on site.

#### Preservation Month Coloring Contest

Janet Gapen reported that there were only 7 entries in the coloring contest this year in comparison to 75 last year. She suggested that something else be considered for next year's observance.

#### Guideline Amendments

Janet Gapen informed Commission members that the new amendments to the guidelines would be distributed at the July meeting.

#### Thank-You

Commission member Emily Perry extended her thanks to the members of the Commission who supported the dedication ceremony of the new historic markers for the Dixonville Cemetery held on Saturday, May 30<sup>th</sup>.

#### **Minutes**

The minutes from the May meeting will be redistributed with the noted corrections for approval at the July meeting.

#### **Adjournment**

There being no other business to come before the Commission, the meeting was adjourned at 7:30 p.m. upon a motion by Kathy Walters, seconded by Jack Errante; all members voted AYE.

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Anne Lyles, Chairperson

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Judy Jordan, Secretary